

REMARKS/ARGUMENTS

The undersigned attorney for the Applicants wishes to thank Examiner Dickey for the helpful telephone discussion today, during which time the Election/Restriction requirement was discussed.

In response to the Election/Restriction requirement from the Examiner, the Applicant respectfully elects the embodiment shown in FIG. 4-17 and described in paragraphs [0129]-[0150]. This election is without traverse.

The elected species is a fluidic nanotube as recited in amended Claim 1. Note that Claim 1 has been amended by deleting the Markush group of devices in the original claim.

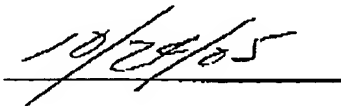
Claim 1 reads on the elected species, as do dependent Claims 5-13 which are directed to the fabrication method described in paragraphs [0129]-[0150] as well as various material characteristics. Claim 14 has been amended to recite that the nanotube of Claim 1 is a functional component of a nanodevice, as an embodiment of the invention.

The remaining claims have been canceled or withdrawn as indicated in the listing of claims.

The amendments herein have been made without any prejudice, waiver, or estoppel, and without forfeiture or dedication to the public, with respect to the original subject matter of the claims as originally filed or in their form immediately preceding these amendments. The Applicant reserves the right to pursue the original scope of these claims in the future, such as through continuation practice, for example.

If there are any questions concerning this paper, please contact the undersigned below at the telephone number indicated in order to discuss such matter.

Date:



Respectfully submitted,



John P. O'Banion, Reg. No. 33,201
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
(916) 498-1010